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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JAMES PANYARD et al.

Group Art Unit: 3723

Examiner: Shantese L. McDonald

Serial No.: 10/709,775

Filed: May 27, 2004

For: HOSE CLAMP TOOL

Attorney Docket No.: 81096680 (FMC 1705 PUS)

**COMMENTS ON STATEMENTS OF
REASONS FOR ALLOWANCE**

Mail Stop Issue Fee
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit the following comments regarding the examiner's statement of reasons for allowance presented in the Notice of Allowance mailed October 3, 2006.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8 (FIRST CLASS MAIL)

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

October 27, 2006
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Matthew M. Mietzel
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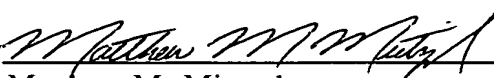
Comments

The examiner's statement of reasons for allowance does not address all allowed independent claims. The prior art does not disclose or suggest a hose clamp installation tool in accordance with Claim 9, which was allowed in its original form and broadened during prosecution, comprising a housing having a distal end, a plurality of tabs extending from the distal end for engaging a clamp, an engagement surface disposed adjacent to the plurality of tabs for engaging the clamp to release the clamp from an open position and allow the clamp to shift to a closed position, and a sensor for providing a signal indicative of the shifting of the clamp.

Similarly the prior art does not disclose or suggest a hose clamp installation tool in accordance with Claim 15, comprising a housing, an arm extending from the housing, the arm including a tab and an engagement surface, wherein the tab contacts a first clamp tab and the housing is moved to position the engagement surface in contact with a second clamp tab to release the clamp from an open position and allow the clamp to shift to a closed position, and a sensor for providing a signal indicative of shifting of the clamp from the open position to the closed position.

Respectfully submitted,

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Date: October 27, 2006

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